

RECEIVED

MAR 06 2018

BY MAIL

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
Eastern DIVISION

Brent J. Johns

#169304

(Enter above the full name of the Plaintiff in this action. Include prison registration number.)

v.

the City of Fumisant, Mo.

Mayor Tom P. Schneider

(alderwoman Tim Lee, Tim Jones,

Joseph Eager, Jeff Cuperman, Keith
Childs, Gerard Ferke, Jackie

Pagano, Robert Parson Jr., Tommy
Siam

(Enter above the full name of ALL Defendant(s) in this action. Fed. R. Civ. P. 10(a) requires that the caption of the complaint

include the names of all the parties. Merely listing one party and "et al." is insufficient.

Please attach additional sheets if necessary.

Jury trial
Demandeal

Case No. 4:17-cv-1516-AGF
(To be assigned by Clerk)

In what capacity are you suing the defendants?

Official
 Individual
 Both

PRISONER CIVIL RIGHTS COMPLAINT UNDER 42 U.S.C. § 1983

I. PLACE OF PRESENT CONFINEMENT:

100 S. Central, Clayton Mo, 63105

II. PREVIOUS CIVIL ACTIONS:

A. Have you brought any other civil actions in state or federal court dealing with the same facts involved in this action or otherwise relating to your confinement?

YES []

NO [X]

*additional
Defendants*

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
Eastern DIVISION

Brent Jones)

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(Enter above the full name of the Plaintiff in this action. Include prison registration number.)

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Houssant)

v.)

Police Chief Tim Kury)

Lt. Dennis Behart)

Sgt. Anthony Mocca, Officer)

Brian Parus, Off. Steven)

Beekman, Off. Joshua Smith)

and off. Stephen Williams)

unknown Off. Marshal Jailer)

(Enter above the full name of ALL Defendant(s) in this action. Fed. R. Civ. P. 10(a))

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listing one party and "et al." is insufficient.

Please attach additional sheets if necessary.)

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PRISONER CIVIL RIGHTS COMPLAINT UNDER 42 U.S.C. § 1983

I. PLACE OF PRESENT CONFINEMENT:

100 S. Central Clayton Mo. 63105

II. PREVIOUS CIVIL ACTIONS:

A. Have you brought any other civil actions in state or federal court dealing with the same facts involved in this action or otherwise relating to your confinement?

YES []

NO [X]

B. If your answer to "A" is YES, describe the action(s) in the space below. If there is more than one action, you must describe the additional action(s) on a separate piece of paper, using the same format as below.

1. Parties to previous civil action:

Plaintiff:

Defendant(s):

2. Court where filed:

3. Docket or case number:

4. Name of Judge:

5. Basic claim made:

6. Present disposition (Is the case still pending? Is it closed? If closed, was it appealed?):

III. GRIEVANCE PROCEDURES:

A. Is there a prisoner grievance procedure at the institution in which you are incarcerated?

YES

NO

B. Have you presented this grievance system the facts which are at issue in this complaint?

YES

NO

C. If your answer to "B" is YES, what steps did you take: _____

D. If your answer to "B" is NO, explain why you have not used the grievance system:

does not apply/Not available

IV. PARTIES TO THIS ACTION:

A. Plaintiff

1. Name of Plaintiff: Brent Johns
2. Plaintiff's address: _____
3. Registration number: 169206

B. Defendant(s)

1. Name of Defendant: City of Florissant et al
2. Defendant's address: _____
3. Defendant's employer and job title: City of Florissant
Missouri
4. Additional Defendant(s) and address(es): _____

V. COUNSEL

A. Do you have an attorney to represent you in this action?

YES []

NO

B. If your answer to "A" is NO, have you made an effort to contact an attorney to represent you in this matter?

YES

NO []

C. If your answer to "B" is YES, state the name(s) and address(es) of the attorneys you contacted and the results of those efforts:

D. If your answer to "B" is NO, explain why you have not made such efforts:

Undesignated

E. Have you previously been represented by counsel in a civil action in this Court?

YES []

NO

F. If your answer to "E" is YES, state the attorney's name and address:

VI. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. State your claims in numbered paragraphs. You may use additional paper if necessary):

① The City of Florissant Missouri and its Elected Officials (Mayor Tom P. Schneider, and the Florissant Aldermen and Alderwoman (Tim Lee, Timothy Jones, Joseph Eagan, Jeff Caputa, Keith Schildroth, Gerard Henke, Jackie Pagano, Robert Parson JR., Tommy Siam.) all of whom are directly responsible for Governing the laws, Statutes, Ordinances of the city of Florissant failed to act, failed to intervene to set forth or change Policies, Customs + Procedures that resulted in Serious Physical injuries to my person and Serious Harm to my Mental health on March 1, 2017, in the City of Florissant Missouri.

② The City of Florissant Missouri and its Elected Officials (Mayor Tom P. Schneider, and Florissant Aldermen and Alderwoman Tim Lee, Timothy Jones, Joseph Eagan, Jeff Caputa, Keith Schildroth, Gerard Henke, Jackie Pagano,

VI. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. State your claims in numbered paragraphs. You may use additional paper if necessary):

Robert Parson Jr., Tommy Siam. ^{hereinafter referred to as} City Council
failed to Properly Screen the Hiring
of the City of Florissant Police Chief
Tim Lowry, Florissant Police Lieutenant Dennis
Dehart, Florissant Police Sergeant Anthony
Mocca, Police Officer Brian Panus, Police
Officer Steven Beekman, Police Officer
Joshua Smith, Police Officer Stephen
Williams, Police Dispatcher (Unknown
Name), Police Headquarters intake
Jailer (Unknown Name), which resulted
in Serious Physical injury to my
Person and Serious Harm to my Mental
Health, and the denial of adequate
Medical needs on the evening of
March 1, 2017 in the City of Florissant
Missouri during and after my
detainment when I was Assaulted.

③ Florissant Police Chief Tim Lowry failed

VI. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. State your claims in numbered paragraphs. You may use additional paper if necessary):

to Supervise and failed to train
and failed to intervene with
Florissant Police Officer Joshua Smith
on the even of March 1, 2017 in
the City of Florissant which resulted
in Serious Physical injury when Officer
Joshua Smith used excessive/deadly
force when he rammed my Vehicle
with his Patrol Car while my hands
were up in clear view out the window
desending to approaching officers.
Causing me to hit my head Causing
a Concussion and temporarily losing
my Vision. Violating my 4th 5th 6th 8th and 14th Amendment
rights

④ Moments later Florissant Police Officer
Steven Beekman used excessive and deadly
force by tasing me in my Vehicle while
my arms were still in clear view
and held out the Car Window, causing

VI. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. State your claims in numbered paragraphs. You may use additional paper if necessary):

Me to have severe chest pains and
nerve damage in my left arm and
shoulder. These actions violate my 4th
5th, 6th, 8th, and 14th amendment rights.

⑤ Florissant Police Chief Tim Lowry failed Supervise
and failed to train Officers Brian Panus, Officer
Steven Beekman, and Officer Joshua
Smith that resulted in the excessive
force that caused Serious Physical
injuries and Mental Health Symptoms
on March 1, 2017 at 225 Monte Drive
at 7:01 pm in Florissant Missouri.

⑥ Florissant Police Sgt. Anthony Mocca
failed to Supervise, and failed to
train Officers Brian Panus, Steven
Beekman, and Joshua Smith that
also resulted in Serious Physical
injury from excessive force that
was applied at 225 Monte drive in

VI. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. State your claims in numbered paragraphs. You may use additional paper if necessary): on March 1 2017

Florissant Missouri when I was Struck by Officer Joshua Smiths Patrol Car and tased by Officer Steven Beekman both while my hands were up and out the window Surrendering these actions Violate my 4th, 5th, 6th, 8th and 14th amendment rights.

⑦ Florissant Police Officer Brian Panus failed to intervene on March 1, 2017 when I was assaulted by Joshua Smith and Steven beekman which resulted in Serious Physical injury and Serious Mental Health Injury these actions Violate the 4th, 5th, 6th, 8th and 14th amendments Civil rights

⑧ at approximately 7:14pm in the area of Marcos Pizza located in Florissant Missouri Florissant Police Sgt. Anthony Mocca, and Florissant Police Officers

VI. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. State your claims in numbered paragraphs. You may use additional paper if necessary):

Brian Panus, Joshua Smith, Steven Beekman and Stephen Williams approached me while I was lying face down on the ground not resisting in any way. Sgt. Mocca, Officers Panus, Beekman Smith and Williams started stomping on the Back of my Body, Spine, Head with Boots then assaulted me with fists and Collapsible Batons (Deadly Weapons) Causing me Serious Physical injury and Serious harm and injury to my Mental health. these actions also shows Malicious Sociistic intent.

⑨ Florissant Police Chief Tim Lowry, Police Lieutenant Dennis Behart and Florissant Police Sergeant Anthony Mocca failed to intervene, Failed to Supervise and Failed to train Florissant Police Officers Brian Panus, Joshua Smith

VI. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. State your claims in numbered paragraphs. You may use additional paper if necessary):

Steven Beekman and Stephen Williams that resulted in Serious Physical injury and Serious Harm to My Mental Health when Sgt. Anthony Mocca, Police Officers Brian Panus, Steven Beekman, Joshua Smith, and Stephen Williams assaulted me with deadly Weapons (Fist, Boots, Collapsible Batons) while I was on the ground, face down handcuffed not resisting in any manner on March 1, 2017 at Marcos Pizza in Florissant Missouri at approximately 7:14pm Showing gross Negligence.

⑪ Florissant Police Sgt. Anthony Mocca failed to train, failed to Supervise and failed to intervene with Florissant Police Officers Brian Panus

VI. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. State your claims in numbered paragraphs. You may use additional paper if necessary):

Steven Beekman, Joshua Smith, &
Stephen Williams which Resulted
in Serious Physical injury and
Serious harm to my Mental health
when on March 1, 2017 at 7:14 pm
at Marco's Pizza in Florissant
Missouri Officers Parus, Beekman
Smith and Williams Assaulted
me with Fists, Boots, and Collapsible
Batons while I was handcuffed
lying face down on the ground
not resisting in any manner.

(12) Florissant Police Officers Brian
Parus, failed to intervene to
prevent Officers Steven Beekman,
Officer Joshua Smith, and Officer
Stephen Williams from assaulting
me with excessive and deadly
force with deadly weapons (fists)

VI. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. State your claims in numbered paragraphs. You may use additional paper if necessary):

Boots and Collapsible Batons)
which resulted in Serious Physical
injury to my person and Serious
harm and injury to my Mental
health on March 1, 2017 at 7:14pm
at Marcus Pizza after I was on
the ground, handcuffed and lying
face down not resisting and unable
to defend myself. this failure to
intervene Violates my 4th, 5th, 6th, 8th
and 14th amendment rights.
(13) Florissant Police Officer Steven
Beckman failed to intervene
with Officer Brian Fanns,
Officer Joshua Smith and Officer
Stephen Williams to prevent
Officer Brian Fanns, Joshua Smith
and Stephen Williams from assaulting
me with fists, Boots, Collapsible batons

VI. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. State your claims in numbered paragraphs. You may use additional paper if necessary):

after i was handcuffed lying
face down on the ground
Not resisting and unable to
defend or protect myself in any
way which resulted in Serious
Physical injury to my person
as well as Serious harm to my
Mental Health. these actions
show Malicious and sadistic intent
gross Negligence and deliberate indifference
and Violate my 4th, 5th, 6th, 8th, and
14th amendment rights.

⑯. Officer Joshua Smith failed
to Intervene with Officers Brian
Pamus, Steven Beckman, and Stephen
Williams to prevent Officers
Brian Pamus, Steven Beckman, and
Stephen Williams from assaulting
me with fists, Boots, and Collapsible

VI. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. State your claims in numbered paragraphs. You may use additional paper if necessary):

Batons while I was in handcuffs
Lying face down on the ground
not resisting and unable to protect
or defend myself in anyway. these
actions show gross negligence Sadistic
and Malicious intent on March 1, 2017
at Marco's Pizza in Florissant Mo.
and Violate my 1st, 5th, 6th, 8th,
and 14th amendment rights

⑯ Florissant Police Officer Stephen
Williams failed to intervene
with Officers Brian Parns, Steve
Beekman, Joshua Smith and
Sgt. Anthony Mosca to prevent Officers
Brian Parns, Joshua Smith, Steve Beekman
from assaulting me with Fists
Boots and Collapsible Batons
which resulted in Serious Physical
Injury to my person and Serious

VI. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. State your claims in numbered paragraphs. You may use additional paper if necessary):

harm to my Mental Health
while I was in handcuffs lying
face down on the ground not
resisting in any manner and unable
to protect myself in anyway
these actions shows gross negligence
Malicious and Sadistic intent and deliberate
indifference and Violate my 4th, 5th, 10th, 8th and
14th amendment rights

⑯ Florissant City Council along with
Mayor Tom P. Schneider failed
to adequately screen new hiring
of Florissant Police Sergeant Anthony
Mocca as well as Police Officers
Brian Panus, Stephen Beekner, Joshua
Smith and Stephen Williams which
resulted in Serious Physical Injury
and Serious harm to my Mental
health when Sgt Mocca, and officers

VI. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. State your claims in numbered paragraphs. You may use additional paper if necessary):

Panus, Beekman, Smith and Williams
assaulted me with fists, Boots,
and Collapsible Batons at Marcos
Pizza in Florissant Missouri at 7:11pm
I was in Handcuffs lying face down
on the ground not resisting and
unable to resist in anyway these
actions show gross negligence and
Violate my 4th, 5th, 6th, 8th, and 14th
amendment rights

⑯ Florissant Police Officer Stephen Williams
Denied me adequate medical care
care by threatening my life if I accepted
medical care on the night of March
1, 2017 after I was assaulted by
Sgt. Mocca, and Officers Panus, Beekman
and Williams. these actions show
Malicious, Sadistic intent and deliberate
indifference causing further injury both

VI. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. State your claims in numbered paragraphs. You may use additional paper if necessary):

Physical and Mental by leaving injuries

⑯ Untreated by Medical Staff and Violating my 1st, 4th, 5th, 6th, 8th and 14th Amendment rights on March 1, 2017 in his Patrol Car

⑯ Florissant Police Officers Brian Paines and Steven Beekman also Denied Me Medical Care on the Night of March 1, 2017 on the way to Christian Northwest Hospital and again in the Hospital emergency Room by threatening to beat me further if I accepted Medical treatment for injuries that I received from Sgt. Rocca, Officer Paines, Beekman and Williams earlier that same Night March 1, 2017

⑯ The City of Florissant Government and Policy Making Officials (Tom P. Schneider along with the Entire

VI. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. State your claims in numbered paragraphs. You may use additional paper if necessary):

Florissant City Council failed to
intervene to change laws, Statutes,
ordinances, Policies, and Customs
which resulted in further harm to
me through the Denial of my
Medical Care due to the threats
of Officers Brian Paines and
Steven Beckman and Stephen Williams
on the night of March 1, 2017
at Christian Northwest Hospital
in Florissant Missouri.

(20) each defendant named in this
action was acting under Color
of law at all relevant times.

(21) I am suing each defendant individually
and Officially
DD

VI. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. State your claims in numbered paragraphs. You may use additional paper if necessary):

I wish to see for state law
1st degree Assault as well

VII. RELIEF

State briefly and exactly what you want the Court to do for you. Do not make legal arguments. (Note: If you are a state prisoner and you seek from this Court relief that affects the length or duration of your imprisonment, your case must be filed on a § 2254 form.)

I am requesting this Court award
Compensatory damages of \$100,000.00 jointly and
separately
against each named defendant for physical and
emotional injuries received, a letter
of apology from the City of Florissant

VIII. MONEY DAMAGES:

A) Do you claim either actual or punitive monetary damages for the acts alleged in this complaint?

YES NO

B) If your answer to "A" is YES, state below the amount claimed and the reason or reasons you believe you are entitled to recover such money damages:

\$500,000.00 for Punitive from each Named
defendant for Physical and Emotional
Injuries received

IX. Do you claim that the wrongs alleged in the complaint are continuing to occur at the present time?

YES NO

Brett J. Jones
Signature of attorney or pro se Plaintiff

March 1, 2018
Date

Brent Johnson 110930
100 S. Central ave
Clayton Mo 63105

" Clerk of Court"



United States District
Eastern District of Missouri

111 South 10th Street Suite

St. Louis Mo 63102

